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10
11 Attorneys for Defendant,
TARGET CORPORATION

12
13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 MIGUEL NAPOLES,

17 Plaintiff,

18 v.

19 TARGET CORPORATION; and DOES 1
to 100, inclusive,

20 Defendant.
21

Case No. _2:17-cv-5413

**DEFENDANT TARGET
CORPORATION'S NOTICE OF
REMOVAL**

22 Defendant Target Corporation hereby gives notice of its removal of this action
23 on the following grounds:

24 1. Plaintiff Miguel Napoles commenced this civil action in the Superior
25 Court of the State of California, County of Los Angeles, in case No. 17K07666. A
26 copy of the Summons (June 16, 2017), Complaint (June 16, 2017), Civil Case Cover
27 Sheet (June 16, 2017), Civil Case Cover Sheet Addendum and Statement of Location
28 (June 16, 2017), 2nd Amended General Order (Mar. 7, 2016), and General Order re

1 Limited Jurisdiction Civil Procedures: Notice of Web Portal Availability for
2 Interpreter Requests (June 29, 2016), being all the process, pleadings, and orders
3 served on Defendant Target Corporation in the state-court action, accompany this
4 notice as Exhibit A.

5 2. The Complaint (filed on or about June 16, 2017) was the initial pleading
6 setting forth the purported claims for relief upon which the state-court action is based.

7 3. The case that the Complaint purportedly stated was and is removable.

8 4. Defendant Target Corporation received the Summons and Complaint
9 through service on June 22, 2017. It had not received the Summons, Complaint, Civil
10 Case Cover Sheet, or Civil Case Cover Sheet Addendum and Statement of Location
11 in any other manner before June 22, 2017.

12 5. Defendant Target Corporation is filing this notice within 30 days after
13 receiving the Summons, Complaint, Civil Case Cover Sheet, and Civil Case Cover
14 Sheet Addendum and Statement of Location.

15 6. This Court would have had original jurisdiction over the state-court
16 action under 28 U.S.C. §§ 1331, 28 U.S.C. § 1337(a), and 47 U.S.C. § 227(b)(3).

17 7. The state-court action is removable under 28 U.S.C. §§ 1441(a) & 1446.

18 8. The state-court action is not a nonremovable action under 28 U.S.C. §
19 1445.

20 9. Promptly after filing this notice, Defendant Target Corporation will give
21 written notice to the adverse Party, and will file a copy with the Clerk of the state
22 court.

23 Wherefore Defendant Target Corporation respectfully prays that the state court
24 proceed no further, and that any further proceedings in this action occur in the United
25 States District Court for the Central District of California.

DYKEMA GOSSETT LLP
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1 Dated: July 21, 2017

Respectfully submitted,

2 DYKEMA GOSSETT LLP

3
4 By: /s/Abirami Gnanadesigan
5 Abirami Gnanadesigan
6 Attorneys for Defendant,
7 TARGET CORPORATION

8 in association with

9 Brian Melendez, No. 223633 (Minn.)
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18 Attorneys for Defendant
19 Target Corporation
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CERTIFICATE OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 333 S. Grand Avenue, Suite 2100, Los Angeles, CA 90071.

On July 21, 2017, I served the foregoing documents described as **DEFENDANT TARGET CORPORATION'S NOTICE OF REMOVAL** on all interested parties as follows:

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Adrian R. Bacon, Esq.
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Attorneys for
Miguel Napoles

☒ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on the same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 21, 2017, at Los Angeles, California.

By: /s/ Dianne Mueller

Dianne Mueller